

### REMARKS

This Amendment is in response to the Office Action dated November 24, 2008. In the Office Action, claims 24-42 were rejected. With this Amendment, claims 24, 27-28, 31, 37 and 39-40 are amended and claims 25-26 were canceled. It is respectfully submitted that all pending claims are in condition for allowance.

#### **Examiner Interview**

Applicants' attorney would like to thank the Examiner for courtesies extended during a telephone interview on March 20, 2009. During the interview, claim amendments were discussed that would get over the rejections under the cited art and move the case to allowance. Such amendments are presented in the claim amendments submitted herewith.

#### **§ 103 Claim Rejections**

In making a case for obviousness, the Office has the burden of substantiating evidence to show the requisite motivation exists for the skilled artisan to combine and/or modify the cited references to arrive at the claimed invention. In assessing whether a case has been made, the obviousness rejection must be evaluated in view of the factual inquiries outlined in *Graham v. John Deere*, 148 USPQ 149 (1966):

- (A) Ascertain the scope and content of the prior art;
- (B) Ascertain the differences between the claimed invention and the prior art; and
- (C) Resolve the level of ordinary skill in the pertinent art.

I. Claims 24 and 29 were allegedly rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf (US 3,267,452) in view of Johnson (4,969,834) and in view of Vonderhaar et. al. (US 6,469,511). Claim 24 is independent and is amended. It is respectfully submitted that differences between the cited references and the claim elements of claim 24 exist.

It is respectfully submitted that the combination of cited references fail to describe “a

first electrical plug positioned in the first hand grip and electrically coupled to a first set of Kelvin conductors, the first set of Kelvin conductors including a first wire and a second wire” as claimed in claim 24. The Examiner points to tabs 21 of handle 11 in Wolf to show a first electrical plug. However, tabs 21 compress the cable sheath 22 to hold the cable in place. Tabs 21 fail to provide any electrical connection. In addition, there are no “first and second wires” of a first set of electrical conductors of which tabs 21 are coupled to physically or electrically. Neither Johnson nor Vonderhaar remedy the deficiencies of Wolf.

It is respectfully submitted that the combination of cited references fail to describe “a cable including a second set of Kelvin conductors, the second set of Kelvin conductors including a first wire and a second wire” as claimed in claim 24. Cable 20 of Wolf fails to include a second set of Kelvin conductors let alone that the second set of Kelvin conductors includes first and second wires. Neither Johnson nor Vonderhaar remedy the deficiencies of Wolf.

It is respectfully submitted that the combination of cited references fail to describe “a second electrical plug electrically coupled to the first and second wires of the second set of Kelvin conductors, wherein the first electrical plug and the second electrical plug are removably electrically coupled together in the first hand grip such that the first set of Kelvin conductors and the second set of Kelvin conductors are removably electrically coupled together” as claimed in claim 24. The Examiner points to handle portion 24 of handle 11 in Wolf to show a second electrical plug. Handle portion 24 electrically couples wire 23 of cable 2 to the handle. Since tabs 21 and handle portion 24 are both part of handle 11, they are always physically and electrically coupled together, not removably electrically coupled together as claimed. Also, since tabs 21 only compress the cable sheath, tabs 21 are not providing a conductive path that handle portion 24 doesn’t already provide. In regards to Johnson, although first connecting means 20 and third connecting means 83 are removable from each other, these connecting means include first and second charging cables that are each coupled to a different clamp. These cables are not a first or second set of Kelvin conductors having first and second wires as claimed. In addition,

housings 44 and 84 are not positioned in a first hand grip of a single replaceable clamp nor could they be. Vonderhaar fails to remedy the deficiencies of the Wolf and Johnson references.

It is respectfully submitted that the combination of cited references also fails to describe “a terminal coupled to the cable and having a terminal hole configured for alignment with an aperture in the first hand grip; and a removable fastener which couples the terminal to the first hand grip through the terminal hole in the first hand grip” as claimed in claim 24.

It is respectfully submitted that claim 24 is in condition for allowance. Claim 29 is also in condition for allowance at least based on its dependence on allowable base claim 24.

II. Claim 25-27 were allegedly rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf in view of Johnson, in view of Vonderhaar, and in view of Polizzano (US 4,057,313). Claims 25-26 are canceled and have been incorporated into claim 24. Claim 27 is in condition for allowance at least based on its dependency on allowable base claim 24.

III. Claim 28 was allegedly rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf in view of Johnson, in view of Vonderhaar, in view of Polizzano and in view of Hatrock (US 4,983,086). Claim 28 is in condition for allowance at least based on its dependency on allowable base claim 24.

IV. Claim 30 was allegedly rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf in view of Johnson, in view of Vonderhaar, and in view of Hatrock. Claim 30 is in condition for allowance at least based on its dependency on allowable base claim 24.

V. Claims 31-35, 37 and 39-42 were allegedly rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf in view of Johnson, in view of Vonderhaar, and in view of Polizzano. It is respectfully believed that independent claims 31 and 39 are in condition for allowance for the

same reasons as those described above in reference to claim 24. Claims 32-35, 37 and 41-42 are in condition for allowance at least based on their dependency on allowable base claims 31 and 39.

VI. Claims 36 and 38 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf in view of Johnson, in view of Vonderhaar, in view of Polizzano and in view of Hatrock. It is respectfully submitted that claims 36 and 38 are in condition for allowance at least based on their dependence on allowable base claim 31.

It is respectfully believed that all pending claims 24 and 27-42 are in condition for allowance. Favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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